

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT  
☐ SUPERSEDING**OFFENSE CHARGED**8 U.S.C. Section 1325 - Improper Entry by  
Alien (Class B Misdemeanor)☐ Petty  
☐ Minor  
☒ Misdemeanor  
☐ Felony**PENALTY:**Maximum imprisonment 6 months; Maximum fine \$5,000; \$10  
Special Assessment**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

Immigration and Customs Enforcement

☐ person is awaiting trial in another Federal or State  
Court, give name of court☐ this person/proceeding is transferred from another  
district per (circle one) FRCP 20, 21 or 40. Show  
District☐ this is a reprosecution of  
charges previously dismissed  
which were dismissed on  
motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a  
pending case involving this same  
defendant☐ prior proceedings or appearance(s)  
before U.S. Magistrate regarding  
this defendant were recorded underSHOW  
DOCKET NO.MAGISTRATE  
CASE NO.Name and Office of Person  
Furnishing Information on  
THIS FORM**JOSEPH P. RUSSONIELLO**☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)

AUSA Chinyai J. Coleman

Name of District Court, and/or Judge/Magistrate Location  
NORTHERN DISTRICT OF CALIFORNIA**DEFENDANT - U.S.**

ENRIQUE GARCIA-GRACIANO

DISTRICT COURT NUMBER  
CR-07-0790 CW**FILED**  
MAR 4 2008  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND**DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding.  
If not detained give date any prior summons  
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State
- If answer to (6) is "Yes", show name of Institution

Has detainer  
been filed? ☒ Yes  
☐ NoIf "Yes"  
give date  
filed 9/21/2007**DATE OF  
ARREST**

Month/Day/Year

Or... If Arresting Agency &amp; Warrant were not

Month/Day/Year

**DATE TRANSFERRED  
TO U.S. CUSTODY**

12/7/2007

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS\*☐ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: \_\_\_\_\_

\*Where defendant previously apprehended on complaint, no new summons  
or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_

FILED

2008 MAR -4 PM 1:30

CLERK OF DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH P. RUSSONIELLO (CABN 44332)  
United States Attorney

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ENRIQUE GARCIA-GRACIANO,

Defendant.

No. CR 07-0790 CW

VIOLATION: 8 U.S.C. § 1325 –  
Improper Entry by Alien  
(Class B Misdemeanor)

OAKLAND VENUE

INFORMATION

The United States Attorney charges:

In or about March 2005, in the Northern District of California, the defendant, ENRIQUE GARCIA-GRACIANO, did knowingly and voluntarily enter the United States at a time and place other than as designated by immigration officers, and eluded examination and inspection by

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INFORMATION  
CR 07-0790 CW

1 immigration officers, in violation of Title 8, United States Code, Section 1325(a), a Class B  
2 misdemeanor.

3  
4 DATED: February 28, 2008

JOSEPH P. RUSSONIELLO  
United States Attorney

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W. DOUGLAS SPRAGUE  
7 Chief, Oakland Division

8  
9 (Approved as to form: 

10 CHINHAYI J. COLEMAN  
Assistant United States Attorney  
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